

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

WINDELL AVERY,

Civil Action File

Plaintiff,

Case No.: 1:15-cv-05171-RBK-JS

MDL No. 2606

v.

DAIICHI SANKYO, INC., et al.

Defendants.

MOTION TO WITHDRAW AS COUNSEL FOR PLAINTIFF

COMES NOW Kirtland & Packard, LLP, by and through Behram V. Parekh, and moves this Court for an Order allowing withdrawal as an attorney of record for the Plaintiff based on the following:

1. Pursuant to California Rules of Professional Conduct 3-700(C)(1)(d) the client's conduct renders it unreasonably difficult for the member to carry out the employment effectively.
2. Pursuant to the New Jersey Rules of Professional Conduct 1.16(b)(5) the client fails substantially to fulfill an obligation to the lawyer regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled;
3. Plaintiff's case has not been set for trial because it has been stayed pending the resolution of the Multi-District Litigation, and accordingly Plaintiff will not be prejudiced by the withdrawal.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 7, 2016, a copy of the forgoing MOTION TO WITHDRAW AS COUNSEL, was filed electronically. Notice of this filing will be sent by operation of the Court's ECF to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

Dated: March 7, 2016

/s/ Behram V. Parekh
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